

FORM PTO-1390 (REV 11-2000)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEYS DOCKET NUMBER 741890-0023
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371			U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/048165 Not Yet Assigned
INTERNATIONAL APPLICATION NO. PCT/IE00/00093	INTERNATIONAL FILING DATE July 28, 2000	PRIORITY DATE CLAIMED July 30, 1999	
TITLE OF INVENTION A SURIGAL ACCESS DEVICE			
APPLICANT(S) FOR DO/EO/US Martin CALDWELL and Christopher CUMMINS			
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. <input checked="" type="checkbox"/> This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)). <input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (PCT Article 31). <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) (WO 01/08563 A2) <ol style="list-style-type: none"> <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). <input checked="" type="checkbox"/> has been communicated by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)). <ol style="list-style-type: none"> <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> have been communicated by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input type="checkbox"/> have not been made and will not be made. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>Items 11 to 20 below concern document(s) or information included:</p> <ol style="list-style-type: none"> <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. <input checked="" type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. <input type="checkbox"/> A substitute specification. <input type="checkbox"/> A change of power of attorney and/or address letter. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). <input checked="" type="checkbox"/> Other items or information: <ol style="list-style-type: none"> International Preliminary Examination Report w/Amended Claims and Sheets Twelve (12) Sheets of Drawings (Figs. 1-24) Application Data Sheet 			

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.50) Not Yet Assigned 107048165		INTERNATIONAL APPLICATION NO. PCT/IE00/00093		ATTORNEYS DOCKET NUMBER 741890-0023	
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<p>21. <input checked="" type="checkbox"/> The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492(a)(1) - (5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO..... \$1040.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO..... \$890.00 International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(3)) paid to USPTO \$740.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4)..... \$710.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00</p> <p style="text-align: center;">ENTER APPROPRIATE BASIC FEE AMOUNT =</p> <p>Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).</p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:20%;">CLAIMS</th> <th style="width:20%;">NUMBER FILED</th> <th style="width:20%;">NUMBER EXTRA</th> <th style="width:20%;">RATE</th> <th style="width:20%;"></th> <th style="width:20%;"></th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>44 - 20 =</td> <td>24</td> <td>X \$18.00</td> <td>\$432.00</td> <td></td> </tr> <tr> <td>Independent claims</td> <td>4 - 3 =</td> <td>1</td> <td>X \$84.00</td> <td>\$84.00</td> <td></td> </tr> <tr> <td colspan="4">MULTIPLE DEPENDENT CLAIM(S) (if applicable) YES</td> <td>+ \$280.00</td> <td>\$280.00</td> </tr> <tr> <td colspan="4" style="text-align: center;">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$1686.00</td> <td></td> </tr> <tr> <td colspan="4"><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;">SUBTOTAL =</td> <td>\$1686.00</td> <td></td> </tr> <tr> <td colspan="4">Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL NATIONAL FEE =</td> <td>\$1686.00</td> <td></td> </tr> <tr> <td colspan="4">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +</td> <td>\$ 40.00</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: right;">TOTAL FEES ENCLOSED =</td> <td>\$1726.00</td> <td></td> </tr> <tr> <td colspan="4"></td> <td style="text-align: center;">Amount to be refunded:</td> <td>\$</td> </tr> <tr> <td colspan="4"></td> <td style="text-align: center;">charged:</td> <td>\$</td> </tr> </tbody> </table> <p>a. <input checked="" type="checkbox"/> A check in the amount of \$1726.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>19-2380</u> in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>19-2380 (741890.0023)</u>. A duplicate copy of this sheet is enclosed.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 45%;"> <p>NIXON PEABODY LLP 8180 Greensboro Drive Suite 800 McLean, Virginia 22102</p> </div> <div style="width: 45%; text-align: right;"> <p> SIGNATURE</p> <p>Donald R. Studebaker NAME</p> <p><u>#32,815</u> REGISTRATION NUMBER</p> <p>DRS/JLCsas January 29, 2002</p> </div> </div>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			Total claims	44 - 20 =	24	X \$18.00	\$432.00		Independent claims	4 - 3 =	1	X \$84.00	\$84.00		MULTIPLE DEPENDENT CLAIM(S) (if applicable) YES				+ \$280.00	\$280.00	TOTAL OF ABOVE CALCULATIONS =				\$1686.00		<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. 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